

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

FILED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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CLERK ALBUQUERQUE

STATE OF NEW MEXICO on the
relation of State Engineer,

Plaintiff,

-v-

RAMON ARAGON et al.,

Defendants.

69cv07941-BB-ACE

RIO CHAMA STREAM SYSTEM

Sections 3, 5, and 7

ORDER SETTING STATUS CONFERENCE

THIS MATTER is before the Special Master to guide the course of the Rio Chama Stream System adjudication and pursuant to the Administrative Order Setting Status Conferences, entered September 21, 2004.

A status conference is set for Tuesday, October 12, 2004, at 9:30 a.m., in the Jury Assembly Room of the United States District Court, 120 South Federal Place, Santa Fe, NM.

The following matters will be discussed:

1. The general status of the adjudication of Sections 3, 5 and 7, by counsel for the State of New Mexico, ex rel. State Engineer (State).
2. The progress of the adjudication of the state law-based rights of the Jicarilla Apache Nation, and any necessary amendments to the October 20, 2004, Order Amending Procedural Order Filed November 19, 2002 (No. 7272), by counsel for the State and the Nation.
3. The status of the outstanding subfile issues in Section 5, the Rio Gallina and Rio Capulin, including the consent orders for the subfiles which were the subject of litigation, and the settlement

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discussions concerning priority dates pursuant to the August 26, 2004, Order Adopting Priorities Adjudication Schedule (Docket No. 7567), by counsel for the involved parties, the accquia associations and the State.

4. The status of the historical reports for Sections 3 and 7 which are scheduled to be completed and exchanged in 2004 pursuant to the August 26 Order Adopting Priorities Adjudication Schedule, by counsel for the State and for the Sections 3 and 7 accquia associations.

5. The status of any remaining disputed subfiles subject to the March 8, 2004 Pretrial Orders (Nos. 7427 and 7428), as amended, including CHRB-002-0001 and -0002, CHCB-003-0015B, and any necessary changes to those orders. **Water rights claimants who are subject to these pretrial orders must appear either in person or by counsel. Defendant Mundy Ranch, Inc. must appear by counsel, or suffer a default order defining its water rights according to the findings of the Office of the State Engineer. Counsel for the State is directed to serve this Order on currently unrepresented defendants associated with these disputed subfile rights: Mundy Ranch, Inc.; Joe and Rosina Garcia Revocable Trust.**

6. Matters which should be included in the next status conference set for Tuesday, December 14, 2004.

Attendance by parties involved in the matters listed above is mandatory. Attendance by any other party is optional.

IT IS SO ORDERED.


SPECIAL MASTER VICKIE L. GABIN